

Notice of Allowability	Application No.	Applicant(s)	
	10/088,744	DELEERSNIJDER ET AL.	
	Examiner	Art Unit	
	John D. Ulm	1646	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/16/05.
2. ☒ The allowed claim(s) is/are 1,2,5-17,19-21,26,28,29,31,33,34,36,38-40,42-46,48,50,52-56 and 60.
3. ☒ The drawings filed on 22 March 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12/27/02, 1/16/03</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|--|

Claims 1, 2, 5 to 17, 19 to 21, 26, 28, 29, 31, 33, 34, 36, 38 to 40, 42 to 46, 48, 50, 52 to 56 and 60 are pending in the instant application. Claims 1, 8, 10, 26, 31, 33 and 60 have been amended as requested by Applicant in the correspondence filed 16 March of 2005.

Upon entry of the following examiner's amendment, claims 1, 2, 5 to 7, 42, 8, 43, 9, 11 to 13, 15, 16, 36, 10, 44, 54, 14, 17, 21, 46, 39, 52, 40, 53, 60, 19, 20, 45, 26, 28, 29, 55, 48, 31, 33, 34, 56, 50 and 38 are allowed and have been renumbered 1 to 41, respectively.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Deborah Katz on 23 March of 2005.

The application has been amended as follows:

IN THE CLAIMS:

9. (Currently Amended) An expression system comprising a recombinant DNA or RNA molecule encoding an amino acid sequence of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6 or SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or the deposit no. CBS102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, wherein said expression system produces a polypeptide comprising an amino acid sequence of

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SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6 or SEQ ID NO: 8 or with the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or the deposit no. CBS102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, when said expression system is present in a compatible host cell.

10. (Currently Amended) An expression system comprising an isolated DNA or RNA molecule encoding an amino acid sequence of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6 or SEQ ID NO: 8, wherein said expression system produces a polypeptide of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, or SEQ ID NO: 8, wherein said polypeptide is [[comprises]] a neuromedin receptor protein, wherein said protein exhibits ligand binding for neuromedin U with a log EC₅₀ value of at least below -6.00, and is expressed in at least one of brain, skeletal muscle, cerebellum, testis, corpus callosum, spinal cord, substantia nigra, medulla, thalamus, caudate nucleus, pons, nucleus accumbens, fetal brain, stomach, heart, thyroid gland, lung, thymus, prostate, and trachea.

14. (Currently Amended) A membrane preparation prepared from a cell, wherein the cell comprises an expression system comprising a recombinant DNA or RNA molecule encoding an amino acid sequence of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6 or SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or the deposit no. CBS102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, wherein said

expression system produces a polypeptide comprising an amino acid sequence of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, or SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or the deposit no. CBS102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, when said expression system is present in a compatible host cell, wherein said polypeptide is present in said membrane preparation.

21. (Currently Amended) An isolated polypeptide, wherein said polypeptide exhibits ligand binding for neuromedin U with a log EC₅₀ value of at least below -6.00, and wherein said polypeptide [[protein]] is expressed in at least one of brain, skeletal muscle, cerebellum, testis, corpus callosum, spinal cord, substantia nigra, medulla, thalamus, caudate nucleus, pons, nucleus accumbens, fetal brain, stomach, head, thyroid gland, lung, thymus, prostate, and trachea, wherein the amino acid sequence of the polypeptide [[protein]] is selected from the group of amino acid sequences as defined in claim 17.

38. (Currently Amended) A method of determining whether a substance is a potential ligand of a neuromedin receptor protein comprising:

(a) contacting cells expressing a neuromedin receptor protein of one of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6 and SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or deposit no. C85102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, or contacting a

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receptor membrane preparation prepared from a cell, said membrane preparation comprising said receptor protein, wherein the cell comprises an expression system that produces a neuromedin receptor protein comprising an amino acid sequence of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, or SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or deposit no. C85102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands, when said expression system is in a compatible host cell, with labeled neuromedin U in the presence and in the absence of the substance; and

(b) measuring the binding of neuromedin U to the neuromedin receptor protein of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, or SEQ ID NO: 8 or the polypeptide encoded by the DNA insert contained in the deposit no. CBS102221 or deposit no. C85102222 at the Centraalbureau voor Schimmelcultures at Baarn the Netherlands.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Ulm whose telephone number is (571) 272-0880. The examiner can normally be reached on 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa can be reached on (571) 272-0829. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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